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Attorney Docket no: PHO-0002 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wachter et al.

Serial No.: 09/072,963

Filed: May 5, 1998

For: Method For Improved Selectivity In  
Photoactivation And Detection of  
Molecular Diagnostic Agents

Examiner: Eleni M. Mantis Mercader

Art Unit: 3737

Commissioner for Patents  
P.O. Box 1450  
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Commissioner for Patents , P.O. Box 1450, Alexandria, VA 22313-1450 on	
<u>September 27 2004</u> (Date of Deposit)	
<u>Shannon Wallace</u> Name of applicant, assignee, or Registered Rep.	
<u>Shannon Wallace</u> Signature	<u>9/27/04</u> Date

STATUS INQUIRY

September 27, 2004

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TECHNOLOGY CENTER P3700

Gentlemen:

Please advise as to the status of the above-identified patent application.

Applicants filed the Petition to Withdraw Holding of Abandonment on June 27, 2002. Applicants have received nothing further on this application. According to the USPTO PAIRS listing for this application (see attached), the last recorded action for this file is the grant of petition to revive the application. Neither Applicants nor the undersigned received this grant. Applicants are also including another copy of the Revocation of prior power of attorney and appointment of new power of attorney and appointment of associate attorney (mailed to the Patent and Trademark Office on July 24, 2001) to ensure that the PTO has the correct contact information for this application.

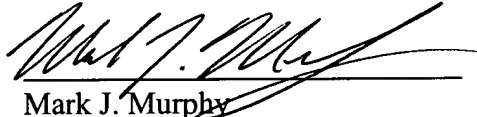
Applicants have filed numerous status requests with regard to this application and only received one response that had an unsigned hand written note that an office action had been mailed October 10, 2002 (see attached). Neither Applicants nor the undersigned have received this office action. There also appears to be no reference to it in the PAIRS system.

The undersigned has attempted to call the Examiner and her supervisor but has been unable to reach them.

Accordingly, Applicants respectfully requests the current status of the above-identified patent application.

Respectfully submitted,

Dated: September 27, 2004

  
Mark J. Murphy  
Attorney of Record  
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.  
200 West Adams Street, Suite 2850  
Chicago, Illinois 60603  
(312) 236-8500



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09/072,963

**METHODS FOR IMPROVED SELECTIVITY IN PHOTO-ACT  
MOLECULAR DIAGNOSTIC AGENTS**

Application Data	Transaction History	Continuity Data
Date	Contents Description	
09-16-2002	Petition to Revive Application - Granted	
07-08-2002	Petition Entered	
06-17-2002	Mail Abandonment for Failure to Respond	
06-17-2002	Abandonment for Failure to Respond to Office Action	
09-10-2001	Correspondence Address Change	
07-26-2001	Preliminary Amendment	
07-26-2001	Information Disclosure Statement (IDS) Filed	
05-28-1999	Preliminary Amendment	
05-05-1999	Preliminary Amendment	
05-05-1999	Preliminary Amendment	
03-15-2000	Mail Notice of Restarted Response Period	
03-15-2000	Letter Restarting Period for Response (i.e. 3 months)	
12-30-1999	Mail Non-Final Rejection	
12-20-1999	Non-Final Rejection	
12-08-1999	Case Docketed to Examiner in GAU	
12-08-1999	Transfer Inquiry	
06-15-1998	Case Docketed to Examiner in GAU	
05-26-1998	Application Dispatched from OIPE	
05-16-1998	IFW Scan & PACR Auto Security Review	
05-07-1998	Initial Exam Team nn	

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ENCLOSURES:

- (X) CITED REFERENCES
- ( ) PTO 1449 (14 PAGES)
- (X) APPOINTMENT OF ASSOCIATE ATTORNEYS
- ( ) Abstract \_\_\_\_\_ page(s)
- ( ) Drawing Sheets no. \_\_\_\_\_ (F) \_\_\_\_\_ (INF) \_\_\_\_\_
- (X) Transmittal Letter PTO/SB/21
- ( ) Check \$ \_\_\_\_\_ No: \_\_\_\_\_
- ( ) Declaration/Oath
- ( ) Assignment and Cover Sheet
- (X) Information Disclosure Statement
- (X) ~~Response~~/Amendment PRELIMINARY B
- ( ) Extension of Time (In Duplicate)
- ( ) Small Entity Status
- ( ) Copy of Priority Document
- (X) REVOCATION OF POWER OF PRIOR POWER  
OF ATTORNEY AND APPOINTMENT OF NEW  
POWER OF ATTORNEY

RE: APPLICATION ATTY/SEC: MJM/CAB  
JUL 26 2001 File no: PHO-0002 DIV  
Applicant: ERIC WACHTER, et al.

S.N.: 09/072,963 Filing Date: MAY 5, 1998

Title: METHOD FOR IMPROVED SELECTIVITY IN  
PHOTOACTIVATION AND DETECTION OF MOLECULAR  
DIAGNOSTIC AGENTS

Due date: \_\_\_\_\_ Date Sent: 07/24/2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Eric Wachter, et al

Serial No.: 09/072,963

Filed: May 5, 1998

For: Method For Improved Selectivity In  
Photoactivation And Detection Of Molecular  
Diagnostic Agents



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) on July 24, 2001

) Christine A. Barglik  
) Christine A. Barglik

) Date: July 24, 2001

Commissioner for Patents  
Washington, D.C. 20231

**APPOINTMENT OF ASSOCIATE ATTORNEYS**

Please recognize the following as my associate attorneys in the above-captioned application:

Granger Cook, Jr.	Reg. No. 18,283
Daniel C. McEachran	Reg. No. 19,804
Edward M. Keating	Reg. No. 20,646
John L. Alex	Reg. No. 22,017
Daniel M. Riess	Reg. No. 24,375
Eugene M. Cummings	Reg. No. 24,398
Raymond M. Mehler	Reg. No. 26,306
Gary M. McFarron	Reg. No. 27,357
Joel H. Bock	Reg. No. 29,045
Stephen B. Heller	Reg. No. 30,181
David Lesht	Reg. No. 30,472
Andrew G. Kolomayets	Reg. No. 33,723
Mark J. Murphy	Reg. No. 34,225
David M. Mundt	Reg. No. 41,207
Michael J. McGee	Reg. No. 43,789

Respectfully submitted,

Edward D. Manzo

Edward D. Manzo

Attorney of Record

Registration No. 28,139

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200 West Adams Street - Suite 2850  
Chicago, Illinois 60606  
(312) 236-8500



PATENT  
Attorney Docket No. PHO-0002 DIV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Eric Wachter, et al.

Serial No.: 09/072,963

Filed: May 5, 1998

Examiner:

Art Unit:

For: Method For Improved Selectivity Technology Center 83768  
Photoactivation And Detection Of Molecular  
Diagnostic Agents

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*Christine A. Barglik*  
Christine A. Barglik

OCT 07 2004 Date: July 24, 2001

**REVOCATION OF POWER OF PRIOR POWER OF ATTORNEY  
AND APPOINTMENT OF NEW POWER OF ATTORNEY**

Please revoke all prior powers of attorney.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Edward D. Manzo, Registration No. 28,139

Send correspondence to:

Edward D. Manzo, Esq.  
COOK, ALEX, MCFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.  
200 West Adams Street - #2850  
Chicago, IL 60606

Direct telephone calls to:

Edward D. Manzo, Esq.  
Phone: (312) 236-8500  
Fax: (312) 236-8176

I am an officer of the assignee of record of the entire interest and authorized to sign on behalf of the assignee.

Eric Wachter  
Secretary  
Photogen, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wachter et al.

Serial No.: 09/072,963

Filed: May 5, 1998

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Examiner: Eleni M. Mantis Mercader

Art Unit: 3737

Commissioner for Patents  
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Alexandria, VA 22313-1450

Gentlemen:

Please advise as to the status of the above-identified patent application.

More than one (1) year has passed since Applicants filed the Petition to Withdraw Holding  
of Abandonment.

Accordingly, the Applicants respectfully requests the current status of the above-identified  
patent application.

Respectfully submitted,

Dated: January 15, 2004

Mark J. Murphy  
Attorney of Record  
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,  
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Shannon Wallace

Name of applicant, assignee, or Registered Rep.

Shannon Wallace 1/15/04  
Signature Date

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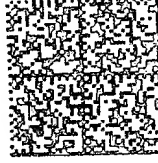
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